

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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KABINS FAMILY, LLC., etc., *et al.*,

Plaintiff,

vs.

CHAIN CONSORTIUM, etc.,

Defendant,

2:09-cv-1125-GMN-RJJ

O R D E R

This matter is before the Court on Plaintiffs' Motion For Protective Order (#456).


The Court has reviewed the Motion (#456), the Response (#458) and the Reply (#461). Plaintiffs request that the Court enter a protective order (1) enjoining the Benessere Defendants from taking any further deposition testimony from Dr. Kabins; and (2) setting reasonable limits on the time the Martinez Defendants may take in deposing Dr. Kabins. The Martinez Defendants have not had an opportunity to take the deposition of Dr. Kabins. The Court will not prospectively forbid that opportunity to these defendants as afforded under the Federal Rules of Civil Procedure. The Benessere Defendants should be allowed to complete the taking of Dr. Kabins deposition. Repeated objections by Dr. Kabins attorney and repeated obfuscation by Dr. Kabins in his "answers" have frustrated legitimate efforts to complete the taking of his deposition. The Court authorizes another session with the deponent. Good cause appearing therefore,

IT IS HEREBY ORDERED that Plaintiffs' **Motion For Protective Order (#456) is DENIED.**

1 IT IS FURTHER ORDERED that all future depositions or sessions of the taking of Dr.
2 Kabins' deposition must be taken in the Lloyd D. George United States Courthouse, 333 Las
3 Vegas Blvd. So., Las Vegas, Nevada, in the presence of the undersigned judge. Counsel is
4 directed to contact chambers at (702)464-5550 to arranged dates and times that coincide with the
5 undersigned United States Magistrate Judge's schedule.

6 IT IS FURTHER ORDERED that on or before October 5, 2012, Defendants shall file an
7 affidavit of reasonable costs, including attorneys' fees incurred in opposing this motion for
8 protective order. A response to said Affidavit of Fees and Costs, if any, shall be filed on or
9 before October 12, 2012. **A hearing on said Affidavit of Fees and Costs is scheduled for**
10 **October 22, 2012, at 9:00 AM** in LV Courtroom 3D, 3d floor, Lloyd D. George United States
11 Courthouse, 333 Las Vegas Blvd. So., Las Vegas, Nevada, 89101.

12 DATED this 24th day of September, 2012.

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15 ROBERT J. JOHNSTON
16 United States Magistrate Judge
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